

State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

November 27, 2023

William Hogan
Corey Morrell
Pranjal Mehta

VIA EFILE TEXAS

RE: SOAH Docket Number 582-23-10566.TCEQ; TCEQ Docket No. 2021-0787-MSW-E; The Executive Director of the Texas Commission on Environmental Quality v. Corey Morrell

Dear Parties:

On October 18, 2023, the undersigned Administrative Law Judge (ALJ) issued the Proposal for Decision (PFD) and Proposed Order in this case. On November 7, 2023, the Executive Director (ED) of the Texas Commission on Environmental Quality (Commission) timely filed exceptions to the Proposed Order. Corey Morrell (Respondent) and the Office of Public Interest Counsel (OPIC) did not file exceptions or responses to exceptions.

The ED's exceptions recommended changes to the Findings of Fact and Conclusions of Law within the Proposed Order to clarify the provisions and correct typographical errors. The ALJ agrees that the ED's recommended changes should be incorporated into the Proposed Order, as follows:

1. "AND IMPOSING CORRECTIVE ACTIONS" should be added to the end of the Proposed Order's caption.
2. The first sentence of the Proposed Order's introductory paragraph should be modified so that it ends with ". . . assessing administrative

penalties against and requiring certain actions of Corey Morrell (Respondent).”

3. In Finding of Fact No. 4, “In 2016” should be replaced with “By 2014.”
4. Finding of Fact No. 5 should be replaced with the following: “Unknown parties discarded some or all of the tires at the Site, starting before June 2018.”
5. In Finding of Fact No. 8, Conclusion of Law No. 9, and Ordering Provision No. 1, the penalty amount of \$7,500 should be replaced with \$6,750.
6. In Finding of Fact No. 19, “admitting” should be changed with “admitted.”
7. In Conclusion of Law No. 2, the word “the” should be added before “Texas Health and Safety Code.”
8. In Conclusion of Law No. 8, the word “the” should be added between “of” and “penalty.”
9. In Ordering Provision No. 1, a second sentence should be added that states: “Respondent shall immediately pay the assessed administrative penalty to the Commission.”

With the changes above, the Proposal for Decision and Proposed Order are ready for Commission’s consideration.

ALJ Signature:



Linda Brite,

Presiding Administrative Law Judge

CC: Service List